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JCWSCS 16 APR 2004

FROM :

FAX NO. : 301 527 1536

FILE COPY

Apr. 15 2004 08:33PM P1

Σ<sup>r</sup>M

**Stamatios Mylonakis, Ph.D.  
Polymer Access Inc.  
7009 Cashell Manor Court  
Derwood, MD 20855-1201  
Fax : 301-527-1536**

TO: USPTO

LOCATION: Alexandria, VA

FAX NO.: 703-746-9195

DATE: April 15, 2004

RE: 10/698,397

Total number of pages including cover sheet: 7

If you did not receive all pages sent or if pages are unreadable, please call: 301-527-1531.

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE;

APPLICATION OF: Graham SWIFT

SERIAL NO: 10/698,397

CONFIRMATION NO.: 2730

FILED: 11/03/2003

EXAMINER:

GROUP ART UNIT: 1711

DOCKET No.: 103-008-CIP

ATTENTION:

**Office of Initial Patent Examination**

**Filing Receipt Corrections**

**Facsimile No.: 703-746-9195**

FOR: Methods of synthesis of polysuccinimide, copolymers of polysuccinimide and derivatives thereof

SECOND REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

COMMISSIONER FOR PATENTS

PO BOX 1450

Alexandria, VA 22313-1450

SIR:

The Patent Office is requested to provide a corrected Official Filing Receipt for the attached. If you have any questions please do not hesitate to contact us.

Please note that the filing receipt incorrectly records the benefit claim to priority in the present application, accordingly, this request is to correct errors in Official Filing Receipt made by the Office concerning the benefit claim to priority of the Application, not to correct the benefit claim to priority in the application as it seems to be implied in the Response to Request for Corrected Filing Receipt (copy attached). The correct priority is disclosed in the first paragraph of the application (copy attached).

Thus, the first sentence of the specification of the present application clearly states:

This application is a Continuation-In-Part of Applications Ser. No. 10/307,349 and 10/307,387, both filed December 2, 2002, **which are a Continuation and Continuation-In-Part, respectively**, of Application Ser. No. 09/776,897, filed February 6, 2001, now US Patent No. 6,495,658, issued December 17, 2002, all three of which are incorporated herein by reference in their entirety. (bold emphasis added).

FROM :

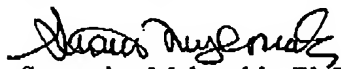
FAX NO. :301 527 1536

Apr. 15 2004 08:34PM P3

The Official filing receipt (copy attached) incorrectly states that 10/307,349 is a CIP of 09/776,897, instead of Continuation. Further the Filing receipt stating "which is" (emphasis added) implies that there is no relationship between 10/307,387 and 09/776,897. Accordingly, a corrected Filing Receipt is respectfully requested.

Customer No.: 28727

Respectfully submitted,

  
Stamatis Mylonakis, Ph.D.  
Registration No. 42,921



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/698,397	11/03/2003	1711	1320	103-008-CIP	3	100	8

CONFIRMATION NO. 2730

28727

STAMATIOS MYLONAKIS  
7009 CASHELL MANOR COURT  
DERWOOD, MD 20855-1201

FILING RECEIPT



\*0C000000011805528\*

Date Mailed: 02/02/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Graham Swift, Chapel Hill, NC;

## Domestic Priority data as claimed by applicant

~~This application is a CIP of 10/307,349 12/02/2002 PAT 6,686,440~~  
~~and is a CIP of 10/307,387 12/02/2002 PAT 6,686,441~~  
~~which is a CIP of 09/776,897 02/06/2001 PAT 6,495,658~~

PLEASE NOTE THAT THE DOMESTIC PRIORITY DATA IS INCORRECT, IT  
SHOULD READ AS FOLLOWS:

This application is a CIP of 10/307,349 12/02/2002 PAT 6,686,440  
and is a CIP of 10/307,387 12/02/2002 PAT 6,686,441  
and said 10/307,349 12/02/2002 is a CON of 09/776,897 02/06/2001 PAT 6,495,658  
and said 10/307,387 12/02/2002 is a CIP of 09/776,897 02/06/2001 PAT 6,495,658

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Methods of synthesis of polysuccinimide, copolymers of polysuccinimide and derivatives thereof



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/698,397	11/03/2003	Graham Swift	103-008-CIP

28727  
STAMATIOS MYLONAKIS  
7009 CASHELL MANOR COURT  
DERWOOD, MD 20855-1201

CONFIRMATION NO. 2730



\*OC000000012175798\*

Date Mailed: 03/24/2004

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

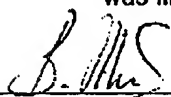
## Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☐ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order: **Country, Application number, Filing date.**
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.
- ☐ The application(s) to which priority is claimed were filed over a year prior to the filing date of this

application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.

- ☒ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.
- ☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.

  
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Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

103-008-CIP

TITLE

**Methods of Synthesis of Polysuccinimide, Copolymers of Polysuccinimide and  
5 Derivatives thereof**

This application is a Continuation-In-Part of Applications Ser. No. 10/307,349 and  
10/307,387, both filed December 2, 2002, which are a Continuation and Continuation-In-  
Part, respectively, of Application Ser. No. 09/776,897, filed February 6, 2001, now US  
10 Patent No. 6,495,658, issued December 17, 2002, all three of which are incorporated  
herein by reference in their entirety.

BACKGROUND OF THE INVENTION

Field of the Invention

15 The present invention relates to a process for the preparation of polysuccinimide,  
polysuccinimide copolymers and derivatives thereof dissolved or dispersed in a  
supercritical fluid (SCF), such as liquid CO<sub>2</sub> or supercritical CO<sub>2</sub> in an organic cosolvent,  
starting with an amino acid such as L-aspartic acid. Dewatering stage or concentration of  
monomers may be done by any suitable technique including wiping film evaporator, drum  
20 drying, evaporation in a screw reactor or inline concentrator, etc.

Discussion of the Related Art

L-aspartic acid has been produced commercially since the 1980's via immobilized  
enzyme methods. The L-aspartic acid so produced mainly has been used as a component  
25 of the synthetic sweetener, N-aspartylphenylalanine methyl ester (ASPARTAME®).

In a typical production pathway, a solution of ammonium maleate is converted to  
fumarate via action of an immobilized enzyme, maleate isomerase, by continuous flow  
over an immobilized enzyme bed. Next, the solution of ammonium fumarate is treated  
with ammonia also by continuous flow of the solution over a bed of the immobilized  
30 enzyme, aspartase. A relatively concentrated solution of ammonium aspartate is